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| <b>FORM PTO-1449</b><br><b>U.S. DEPARTMENT OF<br/>COMMERCE PATENT<br/>AND TRADEMARK<br/>OFFICE</b><br>List of Information Cited by Applicant<br>Page 1 of 3 | <b>ATTY. DOCKET NO.</b><br>00043.04CON  | <b>SERIAL NO.</b><br>10/735,199 |
|   | <b>APPLICANT</b><br>Rabinowitz, et al.  |                                 |
|   | <b>FILING DATE</b><br>December 12, 2003 | <b>GROUP</b><br>1616            |

| U.S. PATENT DOCUMENTS |    |                    |            |                |     |             |              |
|-----------------------|----|--------------------|------------|----------------|-----|-------------|--------------|
| EXAM.<br>INITIAL      |    | DOCUMENT<br>NUMBER | DATE       | NAME           | CLS | SUB-<br>CLS | FILE<br>DATE |
| M                     | AA | 10/057,198         | 10/26/2001 | Lloyd et al.   |     |             |              |
|                       | AB | 10/146,088         | 05/13/2002 | Hale et al.    |     |             |              |
|                       | AC | 10/280,315         | 10/25/2002 | Shen           |     |             |              |
|                       | AD | 10/302,614         | 11/21/2002 | Lu             |     |             |              |
|                       | AE | 10/322,227         | 12/17/2002 | Novack et al.  |     |             |              |
|                       | AF | 10/442,385         | 05/20/2003 | Cross et al.   |     |             |              |
|                       | AG | 10/719,540         | 11/20/2003 | Hale et al.    |     |             |              |
|                       | AH | 10/850,895         | 05/20/2004 | Damani et al.  |     |             |              |
|                       | AI | 10/851,018         | 05/20/2004 | Hale et al.    |     |             |              |
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|                       | AK | 10/851,432         | 05/20/2004 | Hale et al.    |     |             |              |
|                       | AL | 10/851,883         | 05/20/2004 | Hale et al.    |     |             |              |
|                       | AM | 10/861,554         | 06/03/2004 | Cross et al.   |     |             |              |
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| M                        | AQ | GB 502 761         | 03/24/1939 | Great Britain |     |            |            |
|                          | AR | WO 94/09842        | 05/11/1994 | WIPO          |     |            |            |
|                          | AS | WO 97/36574        | 10/09/1997 | WIPO          |     |            |            |
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| M   | AU | Office Action mailed 12/04/03 for US App. No. 10/057,198 filed 10/26/01, "Method And Device For Delivering A Physiologically Active Compound" |
|   | AV | Office Action mailed 01/12/05 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"                               |
|   | AW | Office Action mailed 06/03/04 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"                               |
|   | AX | Office Action mailed 12/15/03 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"                               |
| M   | AY | Office Action mailed 02/27/04 for US App. No. 10/146,080 filed 05/13/02, "Aerosol Forming Device For Use In Inhalation Therapy"               |
| EXAMINER  |    | DATE CONSIDERED 12/7/05   |
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|   | BB  | 3,949,743          | 04/13/1976 | Shanbrom         |                                |             |              |
|   | BC  | 3,982,095          | 09/21/1976 | Robinson         |                                |             |              |
|   | BD  | 4,141,369          | 02/27/1979 | Burruss          |                                |             |              |
|   | BE  | 4,303,083          | 12/01/1981 | Burruss, Jr.     |                                |             |              |
|   | BF  | 4,474,191          | 10/02/1984 | Steiner          |                                |             |              |
|   | BG  | 4,484,576          | 11/27/1984 | Albarda          |                                |             |              |
|   | BH  | 4,566,451          | 01/28/1986 | Badewien         |                                |             |              |
|   | BI  | 4,708,151          | 11/24/1987 | Shelar           |                                |             |              |
|   | BJ  | 4,734,560          | 03/29/1988 | Bowen            |                                |             |              |
|   | BK  | 4,735,217          | 04/05/1988 | Gerth et al.     |                                |             |              |
|   | BL  | 4,819,665          | 04/11/1989 | Roberts et al.   |                                |             |              |
|   | BM  | 4,848,374          | 07/18/1989 | Chard et al.     |                                |             |              |
|   | BN  | 4,853,517          | 08/01/1989 | Bowen et al.     |                                |             |              |
|   | BO  | 4,906,417          | 03/06/1990 | Gentry           |                                |             |              |
|   | BP  | 4,917,119          | 04/17/1990 | Potter et al.    |                                |             |              |
|   | BQ  | 4,924,883          | 05/15/1990 | Perfetti et al.  |                                |             |              |
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|   | BS  | 4,963,289          | 10/16/1990 | Ortiz et al.     |                                |             |              |
|   | BT  | 5,042,509          | 08/27/1991 | Banerjee et al.  |                                |             |              |
|   | BU  | 5,060,671          | 10/29/1991 | Counts et al.    |                                |             |              |
|   | BV  | 5,099,861          | 03/31/1992 | Clearman et al.  |                                |             |              |
|   | BW  | 5,135,009          | 08/04/1992 | Muller et al.    |                                |             |              |
|   | BX  | 5,144,962          | 09/08/1992 | Counts et al.    |                                |             |              |
|   | BY  | 5,146,915          | 09/15/1992 | Montgomery       |                                |             |              |
|   | BZ  | 5,224,498          | 07/06/1993 | Deevi et al.     |                                |             |              |
|   | BAA | 5,345,951          | 09/13/1994 | Serrano et al.   |                                |             |              |
|   | BBB | 5,366,770          | 11/22/1994 | Wang             |                                |             |              |
|   | BCC | 5,456,247          | 10/10/1995 | Shilling et al.  |                                |             |              |
|   | BDD | 5,511,726          | 04/30/1996 | Greenspan et al. |                                |             |              |
|   | BEE | 5,564,442          | 10/15/1996 | MacDonald et al. |                                |             |              |
|   | BFF | 5,592,934          | 01/14/1997 | Thwaites         |                                |             |              |
| M   | BGG | 5,605,146          | 02/25/1997 | Sarela           |                                |             |              |
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|                       | CB  | 5,666,977          | 09/16/1997 | Higgins et al.  |     |             |              |
|                       | CC  | 5,743,251          | 04/28/1998 | Howell et al.   |     |             |              |
|                       | CD  | 5,819,756          | 10/13/1998 | Mielordt        |     |             |              |
|                       | CE  | 5,840,246          | 11/24/1998 | Hammons et al.  |     |             |              |
|                       | CF  | 5,855,913          | 01/05/1999 | Hanes et al.    |     |             |              |
|                       | CG  | 5,874,481          | 02/23/1999 | Weers et al.    |     |             |              |
|                       | CH  | 5,894,841          | 04/20/1999 | Voges           |     |             |              |
|                       | CI  | 5,918,595          | 07/06/1999 | Olsson et al.   |     |             |              |
|                       | CJ  | 6,090,212          | 07/18/2000 | Mahawili        |     |             |              |
|                       | CK  | 6,131,570          | 10/17/2000 | Schuster et al. |     |             |              |
|                       | CL  | 6,136,295          | 10/24/2000 | Edwards et al.  |     |             |              |
|                       | CM  | 6,155,268          | 12/05/2000 | Takeuchi        |     |             |              |
|                       | CN  | 6,158,431          | 12/12/2000 | Poole           |     |             |              |
|                       | CO  | 6,234,167          | 05/22/2001 | Cox et al.      |     |             |              |
|                       | CP  | 6,632,047          | 10/14/2003 | Vinegar et al.  |     |             |              |
|                       | CQ  | 6,701,922          | 03/09/2004 | Hindle et al.   |     |             |              |
|                       | CR  | 6,772,756          | 08/10/2004 | Shayan          |     |             |              |
|                       | CS  | 2002/0117175       | 08/29/2002 | Kottayil et al. |     |             |              |
| M                     | CT  | 2004/0016427       | 01/29/2004 | Byron et al.    |     |             |              |
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|                       | CV  |                    |            |                 |     |             |              |
|                       | CW  |                    |            |                 |     |             |              |
|                       | CX  |                    |            |                 |     |             |              |
|                       | CY  |                    |            |                 |     |             |              |
|                       | CZ  |                    |            |                 |     |             |              |
|                       | CAA |                    |            |                 |     |             |              |
|                       | CBB |                    |            |                 |     |             |              |
|                       | CCC |                    |            |                 |     |             |              |
|                       | CDD |                    |            |                 |     |             |              |
|                       | CEE |                    |            |                 |     |             |              |
|                       | CFG |                    |            |                 |     |             |              |
|                       | CGG |                    |            |                 |     |             |              |

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| EXAMINER | <i>Mt</i> | DATE CONSIDERED | 12/7/08 |
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